



U.S. Department of Justice

United States Attorney
Southern District of New York

USSDNY
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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 2, 2007

BY FAX

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

*The conf. is adjourned,
all time is excluded,
to Nov. 2, 2007,
at 11:00 am.*

Re: United States v. Frank Rodriguez
07 Cr. 845 (AKH)

10-3-07

Chick Hellerstein

Dear Judge Hellerstein:

I write to request a three week adjournment of the pre-trial conference scheduled for October 3, 2007 to permit the parties to conduct ongoing discussions.

The Government also requests that the Court exclude time until a control date of October 31, 2007. The Government submits that such exclusion is warranted pursuant to 18 U.S.C. § 8161(h)(8)(A). Specifically, the ends of justice outweigh the best interest of the public and the defendant in a speedy trial because it affords the defendant and the Government time to consider the evidence produced and to discuss a potential disposition in the case and it ensures the effective assistance of defendant's counsel. Ronald Aiello, counsel for the defendant, told me earlier today that he consents to the exclusion of time.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

MEMO ENDORSED

By: *William J. Harrington*
William J. Harrington
Assistant United States Attorney
212-637-2331

cc: Ronald Aiello
Counsel for the defendant